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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/489,597	01/20/2000	Evgenny M. Getsin	68625 8017	6029
22242	7590	12/30/2008	EXAMINER	
FITCH EVEN TABIN AND FLANNERY			BASHORE, WILLIAM L	
120 SOUTH LA SALLE STREET				
SUITE 1600			ART UNIT	PAPER NUMBER
CHICAGO, IL 60603-3406			2175	
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			12/30/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte:* EVGENIY M. GETSIN, MICHAEL J. LEWIS,  
TODD R. COLLART, and ALLAN B. LAMKIN

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Application No. 09/489,597  
Technology Center 2100

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Mailed: December 30, 2008

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Before KRISTA ZELE, *Deputy Chief Appeals Administrator*  
*ZELE, Deputy Chief Appeals Administrator.*

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on September 22, 2008. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter requiring attention prior to docketing.

**INFORMATION DISCLOSURE STATEMENT**

Appellants filed an Information Disclosure Statement (IDSs) dated October 20, 2005, November 16, 2005 and November 30, 2005. There is no indication on the record that the Examiner has considered the above IDS. MPEP § 609 requires the Examiner to consider any IDSs filed by Applicants if timely submitted. A written communication notifying Appellants of the Examiner's consideration of the above IDS is required.

**CONCLUSION**

Accordingly, it is **ORDERED** that the application is returned to the Examiner to:

- 1) consider the IDSs filed October 20, 2005, November 16, 2005 and November 30, 2006;
- 2) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

KZ/kis

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